



# SYNOPSIS

## House Bills and Joint Resolutions 2013 Maryland General Assembly Session

**January 14, 2013**  
**Schedule 3**

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**PLEASE NOTE:** January 22 – Bill request deadline.  
February 8 – Bill introduction deadline.  
All bills must be given to the Chief Clerk by 5:00 P.M. on Thursday, February 7.  
As required by House Rule 32(b), bills introduced after this date will be referred to the House Rules and Executive Nominations Committee.

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### **HOUSE BILLS INTRODUCED JANUARY 11, 2013**

#### **HB 66     Dorchester County Delegation**

##### **DORCHESTER COUNTY – TURKEY HUNTING ON PUBLIC LAND – SUNDAYS**

Authorizing a person to hunt turkey on public land on any Sunday during the spring turkey hunting season in Dorchester County; and making the Act an emergency measure.

##### **EMERGENCY BILL**

NR, § 10-410(a) - amended

Assigned to: Environmental Matters

#### **Department of Legislative Services**

90 State Circle, Annapolis, Maryland 21401-1991

Baltimore Area: 410-946-5400 — Washington Area: 301-970-5400

Other Maryland Areas: 1-800-492-7122 — Maryland Relay Service: 1-800-735-2258

**HB 67 Delegate Kipke****HEALTH CARE DECISIONS ACT – INCAPACITY TO MAKE INFORMED DECISION – CERTIFICATION BY PSYCHOLOGIST**

Altering the certification requirement regarding a patient's incapacity to make an informed decision regarding treatment to allow the second individual making the certification to be a psychologist, rather than a second physician; etc.

EFFECTIVE OCTOBER 1, 2013

HG, § 5-606 - amended

Assigned to: Health and Government Operations

**HB 68 Dorchester County Delegation****DORCHESTER COUNTY – ALCOHOLIC BEVERAGES – MICRO-BREWERIES**

Authorizing the Comptroller to issue a Class 7 micro-brewery license to a holder of a Class D beer license in Dorchester County; and providing for the hours and days for consumer sales under the Class 7 micro-brewery license.

EFFECTIVE JUNE 1, 2013

Art. 2B, § 2-208(b) and (f) - amended

Assigned to: Economic Matters

**HB 69 Dorchester County Delegation****DORCHESTER COUNTY – RESTRICTION ON SUNDAY GAMING – REPEAL**

Repealing a restriction that prohibits specified gaming licensees in Dorchester County from holding gaming events or carnivals on a Sunday.

EFFECTIVE OCTOBER 1, 2013

CR, § 13-1204 - amended

Assigned to: Environmental Matters

**HB 70 Delegate Carr****STATE GOVERNMENT – ACCESS TO PUBLIC RECORDS IN ELECTRONIC FORMATS – TERMINATION DATE**

Extending the termination date to September 30, 2016, for specified provisions of law related to access to public records in specified electronic formats.

EFFECTIVE OCTOBER 1, 2013

Chapter 536 of the Acts of 2011, § 2 - amended

Assigned to: Health and Government Operations

**HB 71 Delegate O'Donnell****HOMEOWNER'S INSURANCE – UNDERWRITING BASED ON GEOGRAPHIC AREA**

Establishing the requirements an insurer must meet before refusing to issue or renew a policy of homeowner's insurance solely because the insured property or the applicant's or insured's address is located within a specified geographic area of the State; requiring an insurer to adopt a specified underwriting standard and file it with the Maryland Insurance Commissioner for approval; specifying exceptions; etc.

EFFECTIVE OCTOBER 1, 2013

IN, § 19-107 - amended and § 19-215 - added

Assigned to: Economic Matters

**HB 72 Delegate O'Donnell****NATURAL RESOURCES – AQUACULTURE COORDINATING COUNCIL – REPORTING DATE**

Altering from October 1 to June 30 the date by which the Aquaculture Coordinating Council must make specified proposals and recommendations to the Governor, the Senate Education, Health, and Environmental Affairs Committee, and the House Environmental Matters Committee each year.

EFFECTIVE OCTOBER 1, 2013

NR, § 4-11A-03.2(c)(1)(i) - amended

Assigned to: Environmental Matters

**HB 73 Delegate O'Donnell****PRESIDENTIAL ELECTIONS – AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE – REPEAL**

Rescinding the State's consent to enter into the Agreement Among the States to Elect the President by National Popular Vote and repealing the statutory provisions reciting the Agreement; repealing specified provisions of law relating to the nomination of presidential electors; specifying that presidential electors in the State are elected at large by the voters of the entire State; specifying that presidential electors cast their votes in a specified manner; repealing a contingency relating to the State's entry into the Agreement; etc.

EFFECTIVE JULY 1, 2013

EL, §§ 8-503 through 8-505 - amended and EL, § 8-5A-01, Ch. 43 of the Acts of 2007, § 3, and Ch. 44 of the Acts of 2007, § 3 - repealed

Assigned to: Ways and Means

**HB 74 Delegate Feldman****ALCOHOLIC BEVERAGES – CONSUMPTION OF WINE NOT BOUGHT FROM LICENSE HOLDER**

Allowing an individual in a restaurant, club, or hotel for which any license allowing the sale of wine is issued to consume wine not purchased from or provided by the license holder under specified circumstances, including a requirement that the license holder obtain a corkage permit; and requiring each local licensing board to issue a corkage permit at no charge.

EFFECTIVE JULY 1, 2013

Art. 2B, § 12-107(b)(10) - amended

Assigned to: Economic Matters

**HB 75 Delegate Feldman****UTILITY SERVICE PROTECTION PROGRAM – ANNUAL REPORT – DEADLINE**

Altering from June 1 to September 1 the date by which the Public Service Commission must report each year to the General Assembly on terminations of gas or electric service occurring during the previous heating season.

EFFECTIVE JUNE 1, 2013

PU, § 7-307(c) - amended

Assigned to: Economic Matters

**HB 76 Delegate Clagett****MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2011 – FREDERICK COUNTY – FREDERICK ALLIANCE FOR YOUTH – YOUTH AND COMMUNITY CENTER**

Amending the Maryland Consolidated Capital Bond Loan of 2011 to alter the grantee and purpose of a grant originally for the Frederick Alliance For Youth – Youth and Community Center to allow the grant to be used for the Mental Health Association Building; extending to June 1, 2015, the deadline for the grantee to present evidence of a matching fund and to encumber funds; etc.

EFFECTIVE JUNE 1, 2013

Chapter 396 of the Acts of 2011, § 1(3) Item ZA02(AL) and Item ZA03(AG) - amended

Assigned to: Appropriations

**HOUSE BILLS INTRODUCED JANUARY 14, 2013****HB 77 Delegate McHale****STATE GOVERNMENT – COMMEMORATIVE MONTH – IRISH AMERICAN HERITAGE MONTH**

Requiring the Governor to proclaim the month of March each year as Irish American Heritage Month; and requiring the proclamation to urge educational and cultural organizations to observe the month with appropriate programs, ceremonies, and activities.

EFFECTIVE OCTOBER 1, 2013

SG, § 13-504 - added

Assigned to: Health and Government Operations

**HB 78 Delegate Simmons, et al****CIVIL ACTIONS – PERSONAL INJURY OR DEATH CAUSED BY DOG – REBUTTABLE PRESUMPTION**

Establishing that, in an action against an owner of a dog for damages for personal injury or death caused by the dog, evidence that the dog caused the injury or death creates a rebuttable presumption that the owner knew or should have known that the dog had vicious or dangerous propensities; establishing that the common law prior to April 1, 2012, is retained as to owners of real property and other persons who have the right to control the presence of a dog on the property without regard to the breed or heritage of the dog; etc.

EMERGENCY BILL

CJ, § 3-1901 - added

Assigned to: Judiciary

**HB 79 Delegate Nathan–Pulliam, et al****CREATION OF A STATE DEBT – BALTIMORE COUNTY – YOUTH IN TRANSITION SCHOOL**

Authorizing the creation of a State Debt not to exceed \$350,000, the proceeds to be used as a grant to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the planning, design, construction, and capital equipping of the Youth in Transition School, located in Baltimore County; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 80 Delegate McIntosh, et al****CREATION OF A STATE DEBT – BALTIMORE CITY – STONE HOUSE PRESERVATION AND REHABILITATION**

Authorizing the creation of a State Debt not to exceed \$275,000, the proceeds to be used as a grant to the Board of Directors of the St. Clare of Assisi, Inc. for the planning, repair, renovation, construction, reconstruction, and capital equipping of the Stone House, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 81 Delegate McIntosh, et al****CREATION OF A STATE DEBT – BALTIMORE CITY – REBIRTH COMMUNITY CENTER**

Authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Directors of Rebirth Ministries, Inc. for the design and construction of the Rebirth Community Center, located in Baltimore City; providing for disbursement of the loan proceeds, subject to a requirement that the grantee provide and expend a matching fund; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 82 Delegate Busch****MARYLAND CONSOLIDATED CAPITAL BOND LOAN OF 2012 – ANNE ARUNDEL COUNTY – SHIPLAP HOUSE**

Amending the Maryland Consolidated Capital Bond Loan of 2012 to repeal a requirement that the Board of Trustees of Historic Annapolis, Inc. provide a matching fund for a specified grant; etc.

EFFECTIVE JUNE 1, 2013

Chapter 444 of the Acts of 2012, § 1(3) Item ZA03(J) - amended

Assigned to: Appropriations

**HB 83      The Speaker (By Request – Maryland Judiciary)****JUDGESHIPS – COURT OF SPECIAL APPEALS, CIRCUIT COURTS,  
AND DISTRICT COURT**

Increasing the number of judges of the Court of Special Appeals from 13 to 15; increasing the number of resident judges of the circuit court in Calvert, Carroll, Cecil, Frederick, and Wicomico counties; and increasing the number of associate judges of the District Court in Baltimore City, and Charles, Montgomery, and Prince George's counties.

Preliminary analysis: local government mandate

EFFECTIVE JULY 1, 2013

CJ, §§ 1-402, 1-503, and 1-603 - amended

Assigned to: Judiciary

**HB 84      Delegate Busch****CREATION OF A STATE DEBT – ANNE ARUNDEL COUNTY –  
WILLIAM PACA HOUSE RESTORATION**

Authorizing the creation of a State Debt in the amount of \$250,000, the proceeds to be used as a grant to the Board of Trustees of Historic Annapolis, Inc. for the construction, repair, renovation, and reconstruction of the William Paca House, located in Annapolis; providing for disbursement of the loan proceeds; establishing a deadline for the encumbrance or expenditure of the loan proceeds; etc.

EFFECTIVE JUNE 1, 2013

Assigned to: Appropriations

**HB 85      Delegate B. Robinson****INCOME TAX – SUBTRACTION MODIFICATION – SEGAL  
AMERICORPS EDUCATION AWARD**

Providing a subtraction modification under the State income tax for education awards from the Segal AmeriCorps Education Award program; and applying the Act to taxable years beginning after December 31, 2013.

EFFECTIVE JULY 1, 2013

TG, § 10-207(aa) - added

Assigned to: Ways and Means

**HB 86 Delegate B. Robinson****BALTIMORE CITY – ALCOHOLIC BEVERAGES – LICENSED ESTABLISHMENTS – SALES TO MINORS**

Prohibiting holders of specified alcoholic beverages licenses in Baltimore City from selling any item, including nonalcoholic merchandise, to individuals under the age of 18 years; prohibiting a person from requesting or inducing an individual under the age of 18 years to purchase an item from a specified license holder; prohibiting an individual under the age of 18 years from knowingly making a misrepresentation as to the individual's age for a specified purpose; etc.

EFFECTIVE JULY 1, 2013

Art. 2B, § 12-108(g) - added

Assigned to: Economic Matters

**HB 87 Delegate Luedtke, et al****INCOME TAX – SUBTRACTION MODIFICATION – STUDENT LOAN DEBT**

Allowing a subtraction modification under the Maryland income tax for specified income of specified individuals from the discharge of student loan debt; providing that the amount of the subtraction modification may not exceed a specified amount for specified taxpayers; etc.

EFFECTIVE JULY 1, 2013

TG, § 10-207(aa) - added

Assigned to: Ways and Means

**HB 88 Delegates Arora and Feldman****REAL PROPERTY – REFINANCE MORTGAGE – PRIORITY OVER JUNIOR LIENS**

Authorizing a mortgagor or grantor to refinance a first mortgage or deed of trust at a lower rate without obtaining permission from the holder of a junior lien under specified circumstances; providing that a refinance mortgage meeting the requirements of the Act shall have the same lien priority as the mortgage or deed of trust it replaces; and requiring a specified statement to be printed on a refinance mortgage.

EFFECTIVE OCTOBER 1, 2013

RP, § 7-112 - added

Assigned to: Environmental Matters



**HB 89      Delegate Barkley, et al****GAS COMPANIES – RATE REGULATION – INFRASTRUCTURE REPLACEMENT SURCHARGE**

Allowing a gas company to recover specified costs associated with specified gas infrastructure replacement projects through a gas infrastructure replacement surcharge on customer bills; requiring project cost calculation to include specified elements; specifying when costs may be collected; specifying how the pretax rate of return is calculated and adjusted and what it includes; stating the intent of the General Assembly with regard to the surcharge; etc.

EFFECTIVE JUNE 1, 2013

PU, § 4-210 - added

Assigned to: Economic Matters

**HB 90      Delegates K. Kelly and Kipke****STATE GOVERNMENT – ACCESS TO PUBLIC RECORDS – HANDGUN PERMIT RECORDS**

Requiring a custodian to deny inspection of a record of a specified handgun permit and a specified handgun permit application; and requiring a custodian to permit inspection of specified records by the handgun permit holder or handgun permit applicant.

EFFECTIVE OCTOBER 1, 2013

SG, § 10-616(v) - added

Assigned to: Health and Government Operations

**HB 91      Delegate Stifler****INCOME TAX CHECKOFF FOR WOUNDED WARRIOR PROGRAMS**

Establishing an income tax checkoff system for voluntary contributions for services to injured service members or to Wounded Warrior programs; requiring the Comptroller to collect and account for contributions made through the income tax checkoff system and to credit the proceeds to the Maryland Veterans Trust Fund after deducting the amount necessary to administer the checkoff system; authorizing the Department of Veterans Affairs to spend contributed funding on programs to support injured service members; etc.

EFFECTIVE JULY 1, 2013

SG, §§ 9-912 and 9-913 - amended and TG, §§ 2-114 and 10-804(k) - added

Assigned to: Ways and Means

**HOUSE JOINT RESOLUTION INTRODUCED JANUARY 11, 2013**

**HJ 1**

**Delegate Hubbard**

REFORM OF THE FEDERAL TOXIC SUBSTANCES CONTROL ACT OF 1976

Expressing support for the reform of the federal Toxic Substances Control Act of 1976.

Assigned to: House Rules and Executive Nominations